

# CITY CLERK ORIGINAL

C-9240-1  
08/05/2015

## AMENDMENT NO. 1

### AGREEMENT FOR PREVENTATIVE MAINTENANCE AND REPAIR SERVICES TO UNINTERRUPTIBLE POWER SUPPLY UNITS (State of Arizona Contract No. ADSPO12-026687, Contract No. C-9240)

This Amendment No. 1 ("Amendment") to the Preventative Maintenance and Repair Services to Uninterruptible Power Supply Units ("Agreement") is entered into as of 5 day of August, 2015, made to be effective as of July 16, 2015 ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Titan Power, Inc., an Arizona corporation ("Contractor").

#### RECITALS

- A. City and Contractor previously entered into an Agreement for Preventative Maintenance and Repair Services to Uninterruptible Power Supply Units, Contract No. C-9240, dated September 26, 2014 ("Agreement"); and
- B. The original State of Arizona Agreement, Contract No. ADSPO12-026687, had an initial one-year term beginning July 16, 2012 through July 15, 2013 and provided the option to extend for an additional four (4) years in one-year increments. The original State of Arizona Agreement, as amended, expires on July 15, 2016; and
- C. City and Contractor wish to modify and amend the Agreement subject to and strictly in accordance with the terms of this Amendment.

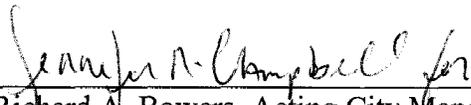
#### AGREEMENT

In consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Contractor hereby agree as follows:

- 1. **Recitals.** The recitals set forth above are not merely recitals, but form an integral part of this Amendment.
- 2. **Term.** The term of the Agreement is extended for a one-year period from July 16, 2015 through July 15, 2016, unless otherwise terminated or canceled as provided by the Agreement. All other provisions of the Agreement except as set forth in this Amendment shall remain in their entirety.
- 3. **Scope of Work.** The Scope of Work is unchanged.

4. **Compensation.** The compensation of the Agreement is unchanged and shall not exceed \$48,000 for the entire term of the contract.
5. **Insurance Certificate.** The existing insurance certificate has expired and a new certificate applying to the extended term is required and must be received by the Contract Specialist prior to the execution of this Amendment.
6. **Ratification of Agreement.** City and Contractor hereby agree that except as expressly provided herein, the provisions of the Agreement shall be, and remain in full force and effect and that if any provision of this Amendment conflicts with the Agreement, then the provisions of this Amendment shall prevail.

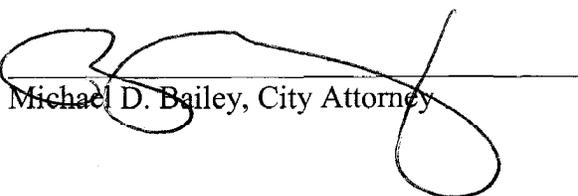
CITY OF GLENDALE, an Arizona  
municipal corporation

  
Richard A. Bowers, Acting City Manager

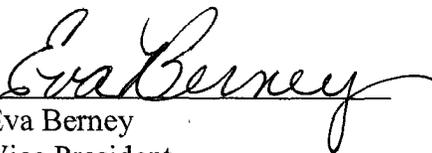
ATTEST:

  
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:

  
Michael D. Bailey, City Attorney

Titan Power, Inc.,  
an Arizona corporation

  
By: Eva Berney  
Its Vice President

# Master Contract ADSP012-026687



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## Header Information

<b>Purchase Order Number:</b>	ADSP012-026687	<b>Release Number:</b>	0	<b>Short Description:</b>	Uninterruptible Power Supply: New Equipment, Service and Maintenance
<b>Status:</b>	3PS - Sent	<b>Purchaser:</b>	Charlotte Righetti, CPPB	<b>Receipt Method:</b>	Quantity
<b>Fiscal Year:</b>	2012	<b>PO Type:</b>	Blanket	<b>Minor Status:</b>	
<b>Organization:</b>	State of Arizona	<b>Location:</b>	STRGC - SPO Strategic	<b>Type Code:</b>	Statewide
<b>Department:</b>	ADSP0 - State Procurement Office	<b>Entered Date:</b>	07/03/2012 10:24:24 AM	<b>Control Code:</b>	
<b>Alternate ID:</b>		<b>Retainage %:</b>	0.00%	<b>Discount %:</b>	0.00%
<b>Days ARO:</b>	0	<b>Print Dest Detail:</b>	If Different	<b>Release Type:</b>	Direct Release, RPA Release Not Allowed
<b>Catalog ID:</b>		<b>Release Type:</b>	Direct Release, RPA Release Not Allowed	<b>Pcard Enabled:</b>	Yes
<b>Contact Instructions:</b>	Charlotte Righetti 602-542-9127 or charlotte.righetti@azdoa.gov	<b>Tax Rate:</b>		<b>Actual Cost:</b>	\$0.00
<b>Invoice Method:</b>		<b>Print Format:</b>	Purchase Order, Internal Copy		
<b>Solicitation Enabled:</b>	No	<b>Master Blanket/Contract End Date (Maximum):</b>	07/15/2017 11:59:59 PM		
<b>Project No.:</b>					
<b>Building Code:</b>					
<b>Cost Code:</b>					
<b>Special Purchase Types:</b>					
<b>PIJ NUMBER:</b>					

	<b>Contract Amendment</b>		AZ DEPT. OF ADMINISTRATION STATE PROCUREMENT OFFICE 100 N. 15 <sup>TH</sup> AVE., STE. 201 Phoenix, AZ 85007
	CONTRACT NO.: ADSP012-026687 Uninterruptible Power Supply: New Equipment, Service and Maintenance	PAGE 1	
	AMENDMENT NO.: Five (5)	OF 1	

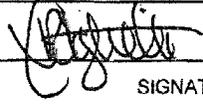
<b>CONTRACTOR:</b> Titan Power Inc 7031 West Oakland Street Chandler, AZ 85226  <b>CONTACT:</b> William McCluskey <b>PHONE:</b> (480)968-3191 <b>EMAIL:</b> wmccluskey@titanpower.com	<b>STATE AGENCY:</b> AZ Department of Administration (ADOA) State Procurement Office 100 N. 15 <sup>th</sup> Ave., Ste.201 Phoenix, AZ 85007  <b>CONTACT:</b> Charlotte Righetti, CPPB, CTNS <b>PHONE:</b> (602) 542-9127 <b>EMAIL:</b> charlotte.righetti@azdoa.gov
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**Uninterruptible Power Supply: New Equipment, Service and Maintenance**

Pursuant to Uniform Terms and Conditions, Paragraph 5, Contract Changes, 5.1 Amendments, the above referenced Contract shall be amended as follows:

1. In accordance with the Special Terms and Conditions, Section C, Contract Extensions, this contract shall be extended through July 15, 2016.

All other terms, conditions and provisions remain unchanged.

This Contract Amendment is not binding against the State of Arizona unless signed by an authorized representative of the Contractor and then accepted in writing by an authorized representative of the State.			
CONTRACTOR HEREBY ACKNOWLEDGES RECEIPT AND UNDERSTANDING OF THE ABOVE AMENDMENT.		THE ABOVE REFERENCED CONTRACT AMENDMENT IS HEREBY EXECUTED THIS DATE BY THE STATE.	
			
DATE 5/29/2015		DATE 6/1/15	
SIGNATURE Stephen Bernoy VP, Operations Manager PRINTED/TYPED NAME AND TITLE		SIGNATURE Charlotte Righetti, CPPB, CTNS Senior Procurement Specialist TYPED NAME AND TITLE	